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RESOLUTION NO. 05-641

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTING PAVEMENT IN THE MOORINGS SOUTH ADDITION ON BACHMAN DRIVE FROM THE WEST LINE OF COBBLESTONE TO THE NORTH LINE OF BACHMAN COURT, ON BACHMAN COURT, ON SANDKEY FROM THE NORTH LINE OF BACHMAN COURT TO THE NORTH LINE OF BACHMAN DRIVE, ON SANDKEY COURT ADJACENT TO LOTS 20 THROUGH 26, BLOCK 1 IN SAID ADDITION AND ON SANDKEY COURT ADJACENT TO LOTS 27 THROUGH 31, BLOCK 1 IN SAID ADDITION AND A SIDEWALK TO BE INSTALLED ALONG ONE SIDE OF BACHMAN DRIVE AND ON ONE SIDE OF SANDKEY. DRAINAGE TO BE INSTALLED WHERE NECESSARY (NORTH OF 42ND ST. NORTH, WEST OF MERIDIAN) 472-84346 IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF CONSTRUCTING PAVEMENT IN THE MOORINGS SOUTH ADDITION ON BACHMAN DRIVE FROM THE WEST LINE OF COBBLESTONE TO THE NORTH LINE OF BACHMAN COURT, ON BACHMAN COURT, ON SANDKEY FROM THE NORTH LINE OF BACHMAN COURT TO THE NORTH LINE OF BACHMAN DRIVE, ON SANDKEY COURT ADJACENT TO LOTS 20 THROUGH 26, BLOCK 1 IN SAID ADDITION AND ON SANDKEY COURT ADJACENT TO LOTS 27 THROUGH 31, BLOCK 1 IN SAID ADDITION AND A SIDEWALK TO BE INSTALLED ALONG ONE SIDE OF BACHMAN DRIVE AND ON ONE SIDE OF SANDKEY. DRAINAGE TO BE INSTALLED WHERE NECESSARY (NORTH OF 42ND ST. NORTH, WEST OF MERIDIAN) 472-84346 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct pavement in The Moorings South Addition on Bachman Drive from the west line of Cobblestone to the north line of Bachman Court, on Bachman Court, on Sandkey from the north line of Bachman Court to the north line of Bachman Drive, on Sandkey Court adjacent to Lots 20 through 26, Block 1 in said addition and on Sandkey Court adjacent to Lots 27 through 31, Block 1 in said addition and a sidewalk to be installed along one side of Bachman Drive and on one side of Sandkey. Drainage to be installed where necessary (north of 42nd St. North, west of Meridian) 472-84346.

Said pavement shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be **Six Hundred Thousand Dollars (\$600,000)** exclusive of the cost of interest on borrowed money, with **100** percent payable by the improvement district. Said estimated cost as

above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **October 30, 2005**, exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

THE MOORINGS SOUTH ADDITION

Lots 1 through 31 inclusive, Block 1

Lots 1 through 17 inclusive, Block 2

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis:

That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis: Lots 1 through 31 inclusive, Block 1, and Lots 1 through 17 inclusive, Block 2, THE MOORINGS SOUTH ADDITION, shall each pay 1/48 of the total cost payable by the improvement district.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot or tract so divided shall be assessed to each ownership or parcel on a square foot basis. Except when driveways are requested to serve a particular tract, lot, or parcel, the cost of said driveway shall be in addition to the assessment for other improvements.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq. as amended.

SECTION 8. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said

publication.

ADOPTED at Wichita, Kansas, December 13, 2005.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)